

HAS FURTHER TIME

Oahu Railway Construction Bill Signed By President.

HOUSE HEARS ROAD REPORT

One Appropriation Bill Passes Second Reading—Discussion on Estrays.

SENATE.

One Hundred-second Day, June 14. Notice was given that the President had signed the act granting a further extension of the time for constructing the Oahu Railroad.

The reports of the examination of the books of the Attorney General's office and the tax department were read and ordered filed.

The House substitute bill passed third reading specifying in what circuits cases and actions shall be brought. The bill is intended to simplify the work in the different circuits and relieve the First Circuit of much business.

The bill passed third reading defining the eligibility of persons to hold office under the Government.

At 10:40 o'clock the Senate adjourned to Thursday.

HOUSE.

Rep. Robertson reported for the Judiciary Committee on House bill 88, relating to a public administrator, in part as follows:

"We believe similar laws have worked well in some countries where they have been tried."

"This bill was evidently hurriedly drawn, it contains provisions inapplicable to this country. Many changes would have to be made in the bill before passage. As the present session is drawing to a close, and there being no urgency in the matter requiring early action, we recommend that the bill be laid on the table."

"A. G. M. ROBERTSON,
"S. K. KAO."

"W. C. ACHI."

Rep. Loebenstein reported for the special committee on road contracts, presenting 54 pages of typewritten matter. The findings at the end of the report are as follows:

"That your committee has endeavored to obtain and present a statement of facts may be easily perceived when review is had of the many matters which occupied their very careful and impartial consideration. The complaints, so numerous presented, of poorly constructed and improperly completed roads, infringement of private rights of way and the illegal exercise of the right of eminent domain by the Superintendent of Public Works, all of these complaints, also others relative to the apparent favoritism and utter disregard of the interests of the Government and of the rights of the taxpayers, have been carefully investigated by your committee and the result of their investigations appear in the recommendations respectfully submitted herein to the consideration of the House. The Superintendent of Public Works has been himself heard and his personal evidence hereto attached presents very clearly and plainly the manner in which both he and his trusted subordinates on the other Islands have conducted matters connected with the Bureau of Public Works, with regard to the public interests, during the past biennial period at least. The committee presents Mr. Rowell's testimony as taken and transcribed by the stenographer of the committee and desire to state that all questions asked the Superintendent of Public Works were upon the subjects which the committee had deemed to be right and proper to present to him as the said questions, each and all, bore upon subjects which had received adjudication at the hands of Mr. Rowell, but his action thereon had been adversely commented on by the committee."

"Your committee in now presenting its final summing up and findings respectfully present, they find that:

1st.—Petitions exist and have been presented to the consideration of this House, for road damages which claims, from the manner of conduct of the business of his Bureau by the Superintendent of Public Works, by seeming wilful negligence, offer opportunity for vexatious and unnecessary litigation with the Government.

2d.—Payment has been wrongfully withheld and is still withheld for labor done on the roads under contract, even when the said work seems to have been faithfully performed.

3d.—It is found that complaints from numerous residents of the Island of Hawaii are well grounded in cause; and relate

(a)—Bad construction of roads.

(b)—Favoritism in the distribution of awards of road contracts.

(c)—Negligence, or incompetence displayed in the preliminary surveys and final examination before acceptance of the road work performed under contract with the Government.

(d)—Illegal seizure of private rights of way and private lands for road purposes.

4th.—Public moneys have been withheld from application to the legitimate object.

5th.—A system of private banking of public funds has been carried on

by the Bureau of Public Works and which action is deserving of the severest censure.

6th.—Contractors have been wronged by the non-payment to them of moneys legally due, and which moneys have been drawn for the purpose of payment from the public treasury.

7th.—Appearance of prejudice and favoritism shown by the Superintendent of Public Works in the award of the contract for building the Central Fire Station in Honolulu.

8th.—The report presented by Mr. Rowell as Superintendent of Public Works as an exhibit of the business of the Bureau for the past biennial period is neither satisfactory nor reliable.

9th.—A knowledge of the subletting of road contracts is shown and a censurable neglect of inquiry by the Superintendent of Public Works, or his subordinates, of the character and class of work of these sub-contractors.

"A. B. LOEBENSTEIN,
"J. D. PARIS,
"W. F. POGUE,
"L. L. McCANDLESS."

"I do not concur with this report, as I do not believe Mr. Rowell has been treated fairly."

"PAUL ISENBERG."

The report was referred to the Printing Committee.

Amendments to Senate bill 44, relating to roads to private lands, passed third reading.

Third reading of Senate amendments to House bill 81, relating to pounds, estrays, etc.

Things in the House had been going along at a rather uninteresting pace but, as soon as this bill came up, there seemed to be an awakening on the part of the members. Rep. McCandless was the leader of the opposition. He did not believe in passing a law that would work such a hardship and moved for an indefinite postponement of the bill. The Speaker ruled that indefinite postponement was out of the question for the bill had passed second reading in the House and had then gone to the Senate, which body had made two amendments. The proper course to follow was to act on the amendments of the Senate. The ruling of the Speaker was appealed from but upon being put to vote, it was sustained.

The first amendment of the Senate was concurred in. Then came a drawing out of the books on rules on the part of all the members. One contended this and another contended that. Finally the second amendment was indefinitely postponed by a majority of one vote. Such action of course practically killed the bill as, under the circumstances, it would be impossible for the conference committees of the Senate and House to have any meeting. The members of the bill naturally went home for luncheon with a feeling of sadness for they saw no way out of the dilemma. The bill, which they considered one of the best introduced during the session, had been doomed.

At 12 noon the House took a recess until 2 p. m.

AFTERNOON SESSION.

The faces of the members in favor of the bill wore a very bright expression as they took their seats in the House in the afternoon. They had discovered a way to have the bill passed. As soon as the Speaker had called the House to order, Rep. Kaeo, of Kauai, who had voted for an indefinite postponement of the bill, arose and moved for a reconsideration of the motion to indefinitely postpone. This was carried. Then Rep. Loebenstein moved that the House concur in the amendment of the Senate. This was likewise carried. Rep. Robertson called the attention of the House to the fact that he had voted in the affirmative. It was also noticed that Reps. McCandless and Achi voted the same way so that the vote was unanimous.

Immediately after this, Rep. Loebenstein arose again and moved that the vote to concur in the amendment of the Senate be reconsidered. Reps. Robertson, McCandless and Achi saw the point at once and, taking their hats, departed for parts unknown. The Speaker despatched the Sergeant-at-arms to call back the members, while Rep. Loebenstein protested against the action of the Speaker in allowing the members to leave the room. There was no quorum. The Speaker explained that he was not at all pleased with the action of the three members and that he had sent the Sergeant-at-arms after them as soon as they had started to leave the room. At this Rep. Loebenstein apologized for what he had said. A little after this the members returned and, once again, there was a quorum. Rep. McCandless at once arose and denounced the member from Hilo as being a man who had applied sharp practice. He had waited until there were absent some of the men who had voted the other way and had then taken advantage of the opportunity to get the bill through.

Rep. Loebenstein then made again his motion to reconsider the vote to concur in the amendment of the Senate. Of course he had in the meantime gone around among the members who were in favor of the bill and when it came to taking the vote, he and the members he knew to be on his side, voted "no." This settled matters for this session and now the bill will go through.

Rep. Loebenstein played his cards well and succeeded in a move that has so often failed.

Rep. McCandless could not stand this sort of thing and walked out of the House, did not put in an appearance again during the afternoon.

The following report of the Finance Committee was presented by Rep. Pogue on items under the head of "Fire Department" in Senate bill 5:

"We have secured an itemized statement, making up the total of the Honolulu Fire Department, regular pay roll, \$52,440. Said items do not include the pay roll for the proposed chemical engine on the Plains. This in very much needed as the residence portion of the plains is rapidly growing and there is very inadequate provision against fire in that portion of Honolulu. The pay roll for the proposed chemical engine would amount to \$6,600. We therefore recommend that the item pass at \$59,040."

"Pay of steward, watchman and engine, Hilo Fire Department, \$1,080. We recommend the item pass."

"I concur in the foregoing excepting as regarding pay roll for chemical engine which I believe should not be agreed to, owing to the large amount of other more necessary items for which appropriations are being used."

"W. F. POGUE."

There was a suggestion on the part of Rep. Robertson that a volunteer company be organized on the Plains and that a house be built there. This was discussed and finally dropped. The item of \$52,440, without the rider recommended, then passed as did the item of \$1,080 for the maintenance of the Hilo Fire Department.

Senate bill 5 then passed second reading.

Senate bill 41, relating to opium, was then taken up for consideration and was referred to the Committee on Health and Education.

House adjourned at 4 p. m.

HOUSE.

Rep. Paris presented a petition from Kona asking for an appropriation of \$1,000 for bridges and culverts along the Napoosoo road. The recent washouts have rendered this necessary.

Rep. Loebenstein presented a minority report of the special committee on road contracts, recommending the payment of \$237.50, balance due on road work in North Kona. This was deferred for the space of ten days.

Senate bill 39, relating to the manufacture of wines from grapes of Hawaiian growth, passed second reading unanimously.

Rep. Gear made a verbal report for the Commerce Committee on House bill 76, relating to the carrying of inter-island mails on Island steamers, recommending that the same be laid on the table.

Rep. Gear reported for the Committee on Health and Education recommending that the following petitions and resolutions be allowed:

\$1,000 for a school house at Kahana. (There is no school house within a radius of six miles.)

Petition 62, asking for school facilities in the vicinity of Waipahu and \$1,000 for school facilities at Ewa, Oahu.

Petition 47, to the effect that Walawa school be discontinued and moved to Pearl City.

Resolution 25, that \$1,000 be appropriated for Keauhou, North Kona, Hawaii. Children have to walk six miles to Pahoechoe to attend school.

Petition 20, asking for \$2,000 for new school house at Kalaea, North Kona, Hawaii. (The sum of \$1,200 was recommended.) The buildings used at present for school houses are the same as were formerly used for native schools and are overcrowded and not at all proper.

Petition 39, asking that a school be opened at Honouliuli. The sum of \$500 was recommended appropriated. There is no school at that place at the present time.

Petition 58, asking to enlarge the school house at Honomakau, North Kohala. The sum of \$750 was recommended.

Resolution 56, teachers' cottage at Kalawao, North Kona. There are no suitable quarters there. The sum of \$400 was appropriated. Teachers' cottage at Kona-waena, \$400 and same at Honanau \$400, also recommended.

Petition 90, asking that \$1,500 be appropriated for a school house at Paauhau, Hamakua, Hawaii.

Report laid on the table to be considered with the bill.

Senate bill 4, was taken up for consideration in third reading. Rep. Robertson moved to strike out the item for the leper settlement band equipment. There was no need of it as private subscription had given the boys enough. This motion carried.

Rep. Pogue moved to strike out the item of \$2,000 for the support of the Hilo band. This did not prevail, only three voting to strike out.

Through the motion of Minister Damon, an item of \$7,500 for "expenses income tax," was inserted in Senate bill 4.

The item of \$726 placed in the appropriation bill on second reading as pay to H. Zerbe for work done at the Custom House for which, it is claimed, he was not compensated, came up on third reading and Rep. Richards moved that the report of the committee relating to the matter, be read. There was opposition to this on the part of Rep. Kaeo but the Speaker ruled that it was perfectly proper that the report should be read. After this was done, a motion to strike out the item was made. Rep. Pogue, on behalf of the Finance Committee, contended that a careful examination into the state of affairs had been made and that Mr. Zerbe had no claim whatever to the money. Minister Damon stated that Mr. Zerbe had never been given a commission to act as appraiser and could not therefore claim the money. Rep. Kaeo here produced the commissions of both Messrs. Fishel and Zerbe, the two being, as he claimed, exactly the same. After much discussion on the matter the item passed. Reps. Pogue, Paris, Gear and Richards were against it.

Rep. Gear moved that the following items be inserted in the bill:

Subsidy to Wilder Steamship Co., \$4,000.

Subsidy to I. L. S. N. Co., \$4,000.

Extra inter-island mail service, \$2,000.

Rep. Pogue did not believe that it was a good thing to mention specific companies in the appropriation as it was possible that, in the event of annexation, some other steamship companies might be established here. He moved to consolidate the first two items stating no particular company

or companies. This did not carry and the items passed as recommended by the committee.

Rep. Robertson moved that the House adjourn for the day out of respect for the death of James I. Dowsett. Deceased had been a man very prominent in the affairs of the country and his assistance to the country had been invaluable.

Attorney-General Smith stated that he was glad to second the motion. He had been in the Legislature with deceased when he was a noble under the Monarchy. In the matter of integrity as a public servant he was foremost. His heart, his thought and his vote were at all times in the interest of the people. He was one of the few remaining men who connected the past with the present.

Rep. Loebenstein stated that the deceased needed no eulogy. Wherever there was a native, there the name of "Kimo Pelekane" was known. He was a true friend to the Hawaiians. Mr. Loebenstein then moved that a committee of five be appointed to attend the funeral on behalf of the House of Representatives. It was considered a better course to wait until this morning and then choose the committee. The House adjourned shortly after 12 noon.

HE WAS OPPOSED.

Isenberg Against Handing Back Fine Money.

The remarks of Representative Isenberg made in the House on Monday regarding the repayment of the fines collected from those paid under conviction by the Court of Martial Law were incorrectly reported in this

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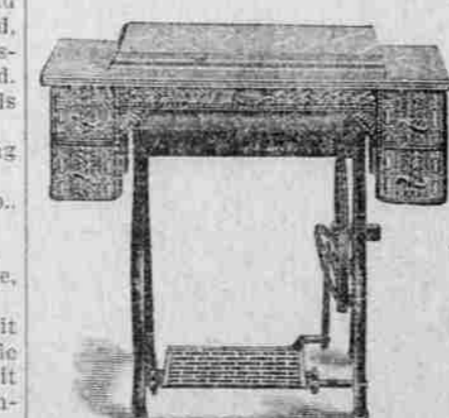
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